

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

CHRISTOPHER ALLEN HAYNES,

Petitioner,

v.

WARDEN HEADLEY, et al.,

Respondents.

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Case No.: 5:20-cv-01020-RDP-JHE


MEMORANDUM OPINION

This is an action for a writ of habeas corpus action filed by *pro se* Petitioner Christopher Allen Haynes on or about June 1, 2020. (Doc. 1). Petitioner challenges his conviction and fifteen-year sentence, imposed on September 7, 2018, for one count of identity theft, in the Circuit Court of Cullman County, Alabama. (*Id.*). On January 8, 2021, the Magistrate Judge to whom the case was referred entered a Report and Recommendation pursuant to 28 U.S.C. § 636(b), recommending that the habeas petition be dismissed with prejudice as untimely, and with unexhausted and procedurally defaulted claims. (Doc. 14). Although Petitioner was notified of his right to file objections within fourteen (14) days, no objections have been filed with the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the Magistrate Judge's Report and Recommendation, the court is of the opinion that the Magistrate Judge's findings are due to be and are hereby **ADOPTED** and the Recommendation is **ACCEPTED**. Accordingly, the petition for writ of habeas corpus is due to be dismissed with prejudice. Further, because the petition does not present issues that are debatable among jurists of reason, a certificate of appealability is due to be denied. *See* 28 U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000); Rule 11(a), *Rules Governing § 2254 Proceedings*.

A separate Final Order will be entered.

DONE and **ORDERED** this February 2, 2021.


R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE